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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/447,301	11/23/1999	SATOSHI YOSHIHARA	P99.1899	3648
33448	7590	05/06/2004	EXAMINER	
ROBERT J. DEPK LEWIS T. STEADMAN HOLLAND & KNIGHT LLC 131 SOUTH DEARBORN 30TH FLOOR CHICAGO, IL 60603			HANNETT, JAMES M	
		ART UNIT		PAPER NUMBER
		2612		14

DATE MAILED: 05/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/447,301	YOSHIHARA, SATOSHI
	Examiner	Art Unit
	James M Hannett	2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 24 February 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 23 November 1999 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 2/24/2004 have been fully considered but they are not persuasive. The applicant argues that the storage register (33) as recited in Elabd et al can not be considered an accumulation gate because there is only one storage register (33) in the device that holds only one row of image data at a time, and the register has nothing to do with the capture of the image data from the image sensors. The examiner notes that nowhere in the applicant's claims is there a limitation that states there is more than one accumulation gate. Furthermore, the examiner disagrees with the argument that the storage register has nothing to do with the capture of image data from the image sensors. The storage register (33) receives image data from the image array (31) and outputs the image data to the transfer registers (A and B). Therefore, it is viewed by the examiner that the storage register (33) is used in the process of capturing image data and outputting the image data.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., not maintaining spatial and time-based deviations in signal-charge fetching and differences in sensitivity caused by differences in read-out timing.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., simultaneous

image capture technology.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1: Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 5,196,939 Elabd et al.

2: As for Claim 1, Elabd et al depicts in Figure 4 and teaches on Column 1, Lines 65-68 and Column 2, Lines 12-17 and Column 4, Lines 28-41 and Column 6, Lines 16-20 a solid state image pickup device (31) having a sensor array (13) comprising a plurality of sensors; and a plurality of transfer registers (17A and 17B) for transferring signal charges from the sensors of the sensor array, at least one horizontal-horizontal transfer register; Figure 6A (45 and 47) is formed between said transfer registers (17A and 17B) for storing and transferring said signal charges: wherein an accumulation gate (33) is provided between said sensor array and said transfer registers for reading out signal charges from the sensors at a same time, accumulating the signal charges and allocating the signal charges to the transfer registers. The accumulation gate is viewed by the examiner as the storage register (33). The horizontal-horizontal transfer region is viewed by the examiner as the transfer region (47) that transfers charge between the two transfer registers (17A and 17B).

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3: In regards to Claim 2, Elabd et al teaches on Column 4, Lines 15-20 and Lines 31-33

That the image array comprises a read-out gate (15) provided between the array of sensors and the accumulation gate. The vertical register 15 that are used to transfer rows of data held in the image array to the storage register 33 is viewed by the examiner as a read-out gate that is provided between the array of sensors and the accumulation gate.

4: As for Claim 3, Elabd et al depicts in Figures 6B-F and teaches on Column 6, Lines 16-28 The accumulation gate (storage register) creates a difference in electric potential oriented in a direction of transfer. Elabd et al teaches that by clocking the gates overlaying the storage register the charge will be transferred to the transfer register. Therefore, the storage register sets a difference in electric potential oriented in the direction of the transfer registers.

5: In regards to Claim 4, Elabd et al teaches on Column 4, Lines 42-48 and Column 6, Lines 3-6 that the signal charges of the sensors are stored in the accumulation gate (storage register 33) to be allocated in units of electrical charge each originated by one of the sensors.

Elabd et al teaches that the charges from all of the pixels in the image sensor array are output individually by row to the storage register (33), which is viewed as the accumulation gate.

6: As for Claim 5, Elabd et al teaches on Column 4, Lines 42-48 The signal charges of the sensors are allocated to respective transfer registers for each odd sensor and each even sensor of the sensor array. Elabd et al teaches that transfer register 17A receives the charge stored in the even-numbered columns of the transferred row, and transfer register 17B receives charge stored in the odd-numbered columns of the transferred row.

7: In regards to Claim 6, Elabd et al depicts in Figure 4 and teaches on Column 1, Lines 65-68 and Column 2, Lines 12-17 and Column 4, Lines 28-41 and Column 6, Lines 16-20 a method

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of driving a solid-state image pickup device having: a sensor array (31) comprising a plurality of sensors (13); a plurality of transfer registers (17A and 17B) for transferring signal charges from the sensors of the sensor array; at least one horizontal-horizontal transfer register (45 and 47) formed between said transfer registers (17A and 17B) for storing and transferring said signal charges; Figure 6A (45 and 47): an accumulation gate (33) provided between the sensor array and the transfer registers, the method comprising the steps of: reading out signal charges from all of the sensors in a row closest to the accumulation gate at the same time; allocating the signal charges of the sensors from the accumulation gate to the transfer registers; and driving the transfer registers to output the signal charges. The accumulation gate is viewed by the examiner as the storage register (33). The horizontal-horizontal transfer region is viewed by the examiner as the transfer region (47) that transfers charge between the two transfer registers (17A and 17B).

8: As for Claim 7, Elabd et al depicts in Figure 6A and teaches on Column 5, Lines 14-58 that the transfer registers (17A and 17B) are driven at the same time. Elabd et al teaches that both transfer registers are driven by Signals (H1-H4) Since these signals are supplied to both transfer registers, they are driven at the same time.

9: In regards to Claim 8, Elabd et al teaches on Column 4, Lines 42-48 the signal charges of the sensors are allocated to respective transfer registers for each odd sensor and each even sensor of the sensor array. Elabd et al teaches that transfer register 17A receives the charge stored in the even-numbered columns of the transferred row, and transfer register 17B receives charge stored in the odd-numbered columns of the transferred row.

10: As for Claim 11, Elabd et al depicts in Figure 6A that the accumulation gate (41A and 41B) and the read-out gate (15A) share a common gate electrode. The Figure depicts that the

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image data is transferred using the same electrode from the image array to the storage register and then to the transfer registers.

11: In regards to Claim 12, Elabd et al depicts in Figure 6A that the step of reading out and the step of allocating are carried out through a common gate electrode. The Figure depicts that the image data is transferred using the same electrode from the image array to the storage register and then to the transfer registers.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12: Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,196,939 Elabd et al in view of USPN 5,298,734 Kokudo.

13: As for Claim 9, Elabd et al teaches the claimed invention as discussed in Claim 1. Elabd et al teaches the use of an image sensor that has two horizontal transfer registers that each output odd and even column data respectively. Therefore, the channel stop region between the transfer registers (17A and 17B) have half the number of columns as the transfer registers to allow only half of the columns to pass from transfer register (17A) to transfer register (17B). However, Elabd et al does not teach that the horizontal-horizontal transfer unit has the same number of columns as the transfer registers.

Kokudo teaches in Figure 2 and teaches on Column 4, Lines 10-27 that it is advantageous then designing an image sensor that has two horizontal transfer registers to allow all of the

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column data from the first transfer register to be transferred to the second transfer register in order to enable the image sensor to perform a progressive scan readout and output two lines of image data simultaneously. Because the entire row of image data can be transferred from the first transfer register to the second transfer register, it is inherent that the horizontal-horizontal transfer register between them have the same number of columns as the two registers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the image sensor of Elabd et al to use a horizontal-horizontal transfer register as taught by Kokudo in the invention of Elabd et al to enable the image sensor to perform a progressive scan readout while reading out two rows of image data simultaneously.

14: In regards to Claim 10, Elabd et al teaches the claimed invention as discussed in Claim 6. Elabd et al teaches the use of an image sensor that has two horizontal transfer registers that each output odd and even column data respectively. Therefore, the channel stop region between the transfer registers (17A and 17B) have half the number of columns as the transfer registers to allow only half of the columns to pass from transfer register (17A) to transfer register (17B). However, Elabd et al does not teach that the horizontal-horizontal transfer unit has the same number of columns as the transfer registers.

Kokudo teaches in Figure 2 and teaches on Column 4, Lines 10-27 that it is advantageous then designing an image sensor that has two horizontal transfer registers to allow all of the column data from the first transfer register to be transferred to the second transfer register in order to enable the image sensor to perform a progressive scan readout and output two lines of image data simultaneously. Because the entire row of image data can be transferred from the first

transfer register to the second transfer register, it is inherent that the horizontal-horizontal transfer register between them have the same number of columns as the two registers.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the image sensor of Elabd et al to use a horizontal-horizontal transfer register as taught by Kokudo in the invention of Elabd et al to enable the image sensor to perform a progressive scan readout while reading out two rows of image data simultaneously.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hannett whose telephone number is 703-305-7880. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
April 23, 2004

W. Garber
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